

EAST PALESTINE VILLAGE COUNCIL DECEMBER 14, 2015 7PM 85 N. MARKET ST

Mayor Zuch called the meeting to order. Present was Atty. Beagle, Mr. Cohen, Mr. Elzer, Mr. Todd, Mr. Tyger and Mrs. Wisser. Also present was Law Director Dave Powers, Village Manager Pete Monteleone, Finance Director Traci Thompson and Clerk Misti Martin. The minutes from the November 23 Finance Committee and Regular meeting were approved on a motion by Mr. Cohen seconded by Mrs. Wisser. All in favor. The November department reports were approved on a motion by Mr. Elzer seconded by Mr. Cohen. All in favor.

AGENDA: Dan Scott. Mr. Scott stated that dogs have not been in the park for years and said they shouldn't be now. He suggested having two different walking trails and having Christmas lights in the park like Columbiana. **Sonia Early.** Ms. Early stated she is in favor of allowing dogs in the park and had some suggestions such as having to register yourself and your pet which would make pet owners more responsible, not allowing the dogs in the main center circle, if you see someone breaking the rules take a picture and report it, and having a tiered offense system. She also feels people should have the right to walk their dogs in a safe, well lit area such as the park. **John Herbert** Mr. Herbert stated we are still dealing with the geese problem at the park. The geese carry diseases and so do dogs and people will not clean up after them and he asked who liable if a dog in the park bites someone. There was no Clerks report

MAYOR: Mayor Zuch stated that council will need to go into executive session at the next meeting to choose the replacements for the Library Board. She said they must be chosen by the end of the year.

MANAGER: Monteleone stated he had asked Jason Stanton from LSSE to speak to council tonight. Mr. Stanton gave a presentation about a project he worked on in Pittsburgh by Century 3 Mall stating that the case was very similar to what is going on in East Palestine with I & I problems. Mr. Stanton went over the process and how the problems were addressed. Mr. Stanton stated that LSSE will do flow isolation studies(identifying where ground water is coming into the system) , which will allow them to determine the most cost effective way to start source flow reduction. Mr. Stanton said the role of the engineer is to provide engineering and financial data so council can make smart decisions. In reference to the parallel system repairs Mr. Cohen asked where the water would be drained, Mr. Stanton said the discharge points would be like localized cisterns where it would discharge high in a manhole and the invert would lower. Mr. Elzer stated that we are doing more flow studies and asked how much of the previous information could be used. Mr. Stanton said the past flow monitoring info and mapping would be utilized after filling in the gaps. He said it is also key to have the flow monitors installed during the flow isolation studies and that the flow monitors will be installed Thursday this week. Mr. Cohen asked how long the process would take and Mr. Stanton said the monitors will be in for seven months and the actual flow isolation study can be completed in three nights if the weather cooperates. Mr. Todd asked how long it would take to meet EPA requirements, Mr. Stanton said the permit issued five years ago required problems to be fixed by June 2016 and the study he just referenced would be completed by June. He said they have a meeting scheduled with the EPA to ask for more time. He said the studies will be completed by the end of 2016, but during that time if they find any "low hanging fruit" they want to be able to plan for and correct the problem at that time. Mr. Todd asked how much more time was needed and Mr. Stanton said they are going to ask for another five year cycle but it could possibly be accelerated to a two to three year schedule.

LAW DIRECTOR: Atty. Powers stated that Building/Zoning Inspector asked council to look at the building permit fees for commercial property. Currently we charge only a \$25 fee and they are low compared to other communities. Powers said other communities he has looked at start around a \$65.00 fee and then charge either .50 cents or \$1.00 per thousand dollars of the construction cost. Mr. Elzer said that currently we rely on the state for everything. Building Inspector John Simon said we still need to make sure they follow our ordinances; \$25.00 for a \$400,000.00 project is way out of line. He said he spends two hours going over permit just to approve it when he should be out

inspecting the actual project. Powers said the state does have to approve the plans but that does the village no good in making sure they are connecting to utilities properly, or zoned properly. Simon also said building permits were revised recently and there is now a section for the state building permit number and if the number isn't there he won't approve the permit. Mr. Elzer said he would work on this issue through the Development Committee and would work on scheduling a meeting.

STREET: NO REPORT

S/P/R/C: Mr. Cohen reminded everyone that the Rotary is currently sponsoring "Christmas Lights in the Park"

DEVELOPMENT: NO REPORT

UTILITY: NO REPORT. Mr. Elzer stated that tonight would be Mrs. Wissers last meeting and he thanked her for her service to the Village.

FINANCE: Mr. Tyger asked that the budget pass as an emergency tonight.

VISITORS: Mary Anne Tyger, Dave Kibler, Dianna Elzer, John & Dot Herbert, Chief Josh Brown, Chief Kevin Dickey, Mark Walker, Jerry Coblenz, Jolee McCoy, Don Johnson, John Martin, Larry Wales, Scott Wolfe, John Simon, Denny Griffith, John Davis, Brock Jurjavcic, John Jurjavcic, Jon Rettig Jr., Mark McTrusty, Rube Ginder, Katie White, Jason Stanton

VISITORS COMMENTS ON CURRENT LEGISLATION: Mark Walker asked if the Village was proposing an enclosure at the park for dogs. Mr. Elzer stated there are two separate issues being lumped together; he said Rotary is working on an enclosed dog park on the hill in the park. He said tonight's legislation is to allow people to have leashed dogs inside the park. Mr. Walker said he isn't in favor of allowing dogs in the park. Dan Scott stated he knows people will not clean up after their dogs. Jon Rettig Jr. stated this issue has been beat to death and it is a disgrace that it will be in the newspaper, he feels the community should be able to utilize the park with their dogs while abiding by the rules, he also asked if all animals should be banned from the park because of the potential for carrying disease. Mr. Cohen said after doing research it is almost impossible to find a park nationwide that does not allow dogs, he said we should not punish the majority of dogs owners because the minority may not clean up after their own dogs.

LEGISLATION: Atty. Beagle made a motion to amend Ord. 22-2015 to replace it with an updated copy, seconded by Mr. Cohen. All in favor. Atty. Beagle made a motion to amend the agenda to add ord. 25-2015(wages for non union employees), Ord. 26-2015 (contract with Fop), and Ord. 27-2015 (contract with Teamsters), seconded by Mr. Cohen. Atty. Beagle introduced Res 18-2015 and made a motion that it be read by title only seconded by Mr. Cohen. **A resolution accepting monies from the Columbiana County Board of Commissioners to be used exclusively for wages and related benefits to permit the Village Police Department to assign an officer to the Columbiana County Drug Task force.** Atty. Beagle called for a vote on Res. 18-2015. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mrs. Wisser-y. 6 yes to pass. Atty. Beagle introduced Ord. 21-2015 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance amending Chapter 1060.00 of the codified ordinances to repeal section 1060.01 (M).** Atty. Beagle called for a vote on Ord. 21-2015. Atty. Beagle-n, Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-n, Mrs. Wisser-y. Ordinance passed 4-2. Atty. Beagle introduced Ord. 22-2015 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance adopting the appropriation for the current expenses and other expenditures of the Village of East Palestine, Ohio during the fiscal year beginning January 1, 2016 and adopting estimated resources and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mrs. Wisser-y. Atty. Beagle called for a vote on Ord. 22-2015. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mrs. Wisser-y. 6 yes to pass. Atty. Beagle introduced Ord. 24-

2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Village Manager to enter into a contract with Brittain Motors, Inc. for the purchase of a 2015 model Silverado 3500 4wd cab, with stainless steel dump bed, Myers snow plow and accessories as set forth in the attached bid sheets and specifications for the price of fifty three thousand seven hundred forty dollars (\$53,740.00).** Atty. Beagle introduced Ord. 25-2015 and made a motion that it be read by title only seconded by Mr. .Cohen. **An ordinance authorizing a 2.00% wage increase between the Village of East Palestine (employer) and all full time and part time non union employees and declaring an emergency.** Atty. Beagle introduced Ord. 26-2015 for a first reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance ratifying and adopting the negotiated contract between the Village of East Palestine (employer) and the Fraternal Order of Police (union), for a five year term, commencing with an effective date of January 1, 2016 through December 31 2020 and declaring an emergency.** Atty. Beagle introduced Ord. 27-2015 for a first reading and made a motion that it be read by title only. **An ordinance ratifying and adopting the negotiated contract between the Village of East Palestine (employer) and the Teamsters (union), for a five year term, commencing with an effective date of January 1 2016 Through January 1 2016 through December 31 2020 and declaring an emergency.**

ADJOURN: Mr. Cohen made a motion to adjourn, seconded by Mr. Elzer. All in favor, meeting adjourned.

MISTI J. MARTIN CLERK

MAYOR MARGO ZUCH